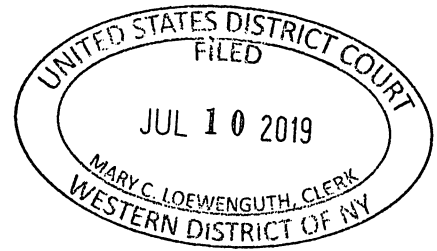


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA,

Plaintiff

v.

14-CR-207-RJA

ERIC C. CUSIMANO,

In Re: Petition of Kimberly Cusimano as to
her interest in 171 Chautauqua Avenue, Lakewood, NY.

Defendant.

AMENDED STIPULATION FOR FULL AND FINAL SETTLEMENT

IT IS HEREBY STIPULATED by and between the Government, by its attorney, James P. Kennedy, Jr., United States Attorney for the Western District of New York, Richard D. Kaufman, Assistant United States Attorney, of counsel and the Petitioner, Kimberly Cusimano, that the previous settlement in this action be amended on the following terms and conditions:

1. Kimberly Cusimano is the only Petitioner with respect to the real property identified as 171 Chautauqua Avenue, Lakewood, NY and waives any further notice or publication of this action. On August 28, 2015, the Petitioner and the government entered into a Stipulation, which set forth, among other things, an installment payment schedule which required the Petitioner to make quarterly payments to the government in partial satisfaction of an overall money judgment of \$90,000. See Dckt. No. 73.

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WDNY

2. On or about May 28, 2019, the Petitioner offered to pay a one-time lump sum of \$5,000.00 as full and final satisfaction of her installment payment schedule provided for in her previous agreement. Her balance at that time was \$7,500.00. This was due in part to the health of Petitioner.

3. The Petitioner has been making quarterly installment payments of \$1,500.00 since November 2015 on a timely basis according to said agreement.

4. On or about June 12, 2019, the United States of America agreed to accept the Petitioner's offer of \$5,000.00 as full and final satisfaction of her installment payment portion of her previous agreement.

5. On or about June 17, 2019, the United States received a cashier's check in the amount of \$5,000.00 from James T. More, close friend of the Petitioner. Said check was provided to the United States Secret Service to be applied toward the installment payment schedule and in full satisfaction of the same.

6. The Petitioner further understands that the sum of \$5,000.00 shall be forfeited to the United States of America pursuant to Title 18, United States Code, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(C).

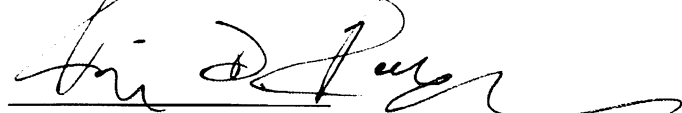
7. The parties also agree that the terms of this settlement do not affect the tax obligations, fines, penalties, or any other monetary obligations the Petitioner may owe to the United States.

8. The Petitioner and government further agree to abide by all other terms set forth in the previous agreement dated, August 28, 2015. See Dckt. No. 73.

9. The Petitioner acknowledges that the sum of \$30,000.00 remains outstanding on the money judgment and will act as a lien upon the real property until satisfied.

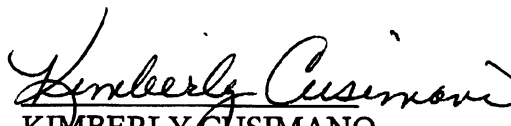
DATED: Buffalo, New York, July 9, 2019.

James P. Kennedy, JR.
United States Attorney
Western District of New York



Richard D. Kaufman
Assistant United States Attorney
United States Attorney's Office

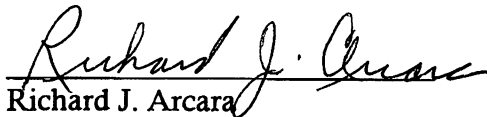
7/8/19
Date



KIMBERLY CUSIMANO
Petitioner as to 171 Chautauqua
Lakewood, NY.

SO ORDERED

7/9/19



Richard J. Arcara
United States District Judge